

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. CR08-103-RSL  
)  
Plaintiff, )  
)  
v. )  
) DETENTION ORDER  
CHRISTOPHER ALLEN DENNY, )  
)  
Defendant. )  
\_\_\_\_\_ )

Offense charged: Manufacturing Methamphetamine

Date of Detention Hearing: June 13, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both

01 dangerousness and flight risk, under 18 U.S.C. §3142(e).

02         2. Defendant was convicted in this Court in 1997 of manufacturing and selling  
03 methamphetamine. He also has other controlled substances charges in his criminal record. The  
04 AUSA proffers that this case was initially filed in state court, but that defendant did not appear as  
05 ordered when the charges were dismissed preparatory to filing in federal court. The AUSA  
06 proffers that the defendant could not be located at places where he usually frequented, and was  
07 ultimately located and arrested by the United States Marshals at a location where a working meth  
08 lab was operating. The AUSA proffers that the defendant reeked of meth chemicals when  
09 arrested. The defendant contends that he was not living at this location but rather was living with  
10 his mother. Pretrial reports that a working meth lab was located at his mother's residence during  
11 the execution of a search warrant.

12         3. Defendant is not employed and has a history of controlled substance use.

13         4. Taken as a whole, the record does not effectively rebut the presumption that no  
14 condition or combination of conditions will reasonably assure the appearance of the defendant as  
15 required and the safety of the community.

16 It is therefore ORDERED:

17         (1) Defendant shall be detained pending trial and committed to the custody of the  
18 Attorney General for confinement in a correction facility separate, to the extent  
19 practicable, from persons awaiting or serving sentences or being held in custody  
20 pending appeal;

21         (2) Defendant shall be afforded reasonable opportunity for private consultation with  
22 counsel;

01 (3) On order of a court of the United States or on request of an attorney for the  
02 Government, the person in charge of the corrections facility in which defendant is  
03 confined shall deliver the defendant to a United States Marshal for the purpose of  
04 an appearance in connection with a court proceeding; and

05 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
06 counsel for the defendant, to the United States Marshal, and to the United States  
07 Pretrial Services Officer.

08 DATED this 13th day of June, 2008.

09   
10 Mary Alice Theiler  
11 United States Magistrate Judge  
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